

PROCUREMENT SUMMARY

**CONSTRUCTION MANAGEMENT SUPPORT SERVICES - CAPITAL
IMPROVEMENT PROJECTS
CONTRACT NO. AE128436MC085000**

1.	Contract Number: AE128436MC085000	
2.	Recommended Vendor: Zephyr UAS, Inc dba Zephyr Rail	
3.	Type of Procurement (check one): <input type="checkbox"/> IFB <input type="checkbox"/> RFP <input checked="" type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	Procurement Dates:	
	A. Issued: December 16, 2024	
	B. Advertised/Publicized: December 18, 2024	
	C. Pre-Proposal Conference: December 20, 2024	
	D. Proposals Due: March 7, 2025	
	E. Pre-Qualification Completed: May 6, 2025	
	F. Ethics Declaration Forms Submitted to Ethics: April 4, 2025	
	G. Protest Period End Date: June 18, 2025	
5.	Solicitations Picked up/Downloaded: 181	Bids/Proposals Received: 5
6.	Contract Administrator: Pascale Batarseh	Telephone Number: 213-922-6338
7.	Project Manager: Michelle Quinn	Telephone Number: 213-922-3026

A. Procurement Background

This Board Action is to approve Contract No. AE128436MC085000 for Construction Management Support Services - Capital Improvement Projects, issued in support of the design reviews, construction management, and administration of the construction contract(s) associated with various capital improvements projects, and to ensure that the construction of these projects is administered and completed in compliance with contract requirements and government regulations. Board approval of contract awards are subject to resolution of any properly submitted protest.

Request for Proposals (RFP) No. AE128436MC085 was an Architecture and Engineer (A&E), qualifications-based procurement process performed in accordance with Los Angeles County Metropolitan Transportation Authority (Metro) Procurement Policies and Procedures, and California Government Code §4525-4529.5 for Architectural and Engineering services. The contract type is a Cost-Plus Fixed Fee (CPFF), Indefinite Quantity / Indefinite Delivery, for a term of five (5) years. The Diversity & Economic Opportunity Department recommended a thirty-six percent (36%) Disadvantaged Business Enterprise overall (DBE) goal for all task orders funded with federal dollars, and a thirty-three percent (33%) Small Business Enterprise overall (SBE) goal and a three percent (3%) Disabled Veteran Business Enterprise overall (DVBE) goal on all task orders funded with federal, state, local, and/or Measure M dollars.

Three (3) amendments were issued during the solicitation phase of this RFP:

- Amendment No. 1, issued on 1/16/2025 clarified the following:
 - a. Revise Table of Contents
 - b. Revise number of additional electronic copies in LOI-1 were required
 - c. Add DBE & SBE/DVBE Commitment language
 - d. Add language to COMP Program to indicate the submittal of COMP Forty-Five (45) days after award
 - e. Adding Administrative Factors in 1.2 Proposal Content
 - f. Add SBE/DVBE Forms 1-5 to Exhibit 1: DBE Good Faith Efforts and Commitment Forms
 - g. Add Exhibit 2A to be accompanied as attachment to Form 60
 - h. Add Exhibit 15: Experience/Performance Questionnaire to Exhibit (Solicitation)
 - i. Revise Exhibit A – Scope of Services to indicate changes in requirements and format
 - j. Add DEOD Contract Compliance Manual (Non-Federal) to Exhibit D: Diversity & Economic Opportunity Department Contract Compliance Manual (RC-FTA);
- Amendment No. 2, issued on 2/3/2025 clarified the following:
 - a. Extend Proposals and Questions & Answers Due Dates
 - b. Revise Submittal Requirements;
- Amendment No. 3, issued on 2/7/2025 clarified the following:
 - a. Revise DBE Commitment Forms 1-6.

A total of 181 downloads of the RFP were recorded in the planholder's list. A virtual pre-proposal conference was held on December 20, 2024, and was attended by 59 participants representing 35 firms. There were 90 questions received for this RFP and responses were provided prior to the proposal due date.

A total of five (5) proposals were received on March 7, 2025, and are listed below in alphabetical order:

1. AIX Consulting, Inc.
2. C2PM
3. Ghirardelli Associates, Inc.
4. KDG Construction Consulting
5. Zephyr-UAS, Inc. dba Zephyr Rail

B. Evaluation of Proposals/Bids

A Proposal Evaluation Team (PET) consisting of staff from Program Management and Program Controls was convened and conducted a comprehensive technical evaluation of the proposals received.

The proposals were evaluated based on the following evaluation criteria and weights:

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|---|-----|
| • Experience and Capabilities of the Firms on the Proposed Team | 35% |
| • Experience and Capabilities of the Key Personnel | 25% |
| • Understanding and Approach to Service Delivery | 35% |
| • Approach to Cultural Competency | 5% |

The evaluation criteria are appropriate and consistent with criteria developed for other, similar Architecture and Engineer (A&E) procurements. Several factors were considered when developing these weights, giving the greatest importance to the Experience and Capabilities of the Firms on the Proposed Team and the Understanding and Approach to Service Delivery.

During the month of April 2025, the PET evaluated the five technical proposals and determined all to be responsive, and within the competitive range. On April 22, 2025, Metro held virtual oral presentations with all five proposing firms.

The proposing firms had the opportunity to present their key personnel as well as respond to the PET's questions. Each proposing team was asked questions relative to each firm's previous experience performing work of a similar nature to the Scope of Services presented in the RFP. Sealed cost proposals were received from the five proposers at the time of oral presentations.

After a thorough review of proposals and oral demonstrations, the PET scored Zephyr UAS, Inc. as the highest ranked firm.

Qualifications Summary of Recommended Firm:

Zephyr-UAS, Inc. demonstrated extensive and relevant experience, significant technical capabilities, and a highly qualified team of key personnel whose experience aligns with the complexity of Metro's Scope of Services. Their proposal reflected a clear and comprehensive understanding of the scope, including a strong grasp of project challenges, cost and schedule management, safety, and quality assurance in active rail, highway, and transit environments. The team has a proven track record on past and current Metro projects, familiarity with both traditional and alternative delivery methods, and experience managing overlapping contracts and coordinating with various agencies, including the City of Los Angeles.

The proposal outlined a well-structured and inclusive approach to cultural competency, with defined outreach practices and demonstrated success implementing diversity and workforce inclusion programs. It also presented sound quality management procedures, data-driven safety protocols, and examples of effective risk mitigation and cost control strategies applied on prior work. Having received the highest technical score, Zephyr-UAS, Inc. is determined to be the most

qualified firm to successfully deliver the required Construction Management Support Services.

Firm	Average Score	Factor Weight	Weighted Average Score	Rank
Zephyr-UAS, Inc.				
Experience and Capabilities of the Firms on the Proposed Team	84.34	35%	29.52	
Experience and Capabilities of the Key Personnel	89.68	25%	22.42	
Understanding and Approach to Service Delivery	94.63	35%	33.12	
Approach to Cultural Competency	87.00	5%	4.35	
Total		100.00%	89.41	1
Ghirardelli Associates, Inc.				
Experience and Capabilities of the Firms on the Proposed Team	83.51	35%	29.23	
Experience and Capabilities of the Key Personnel	81.88	25%	20.47	
Understanding and Approach to Service Delivery	94.71	35%	33.15	
Approach to Cultural Competency	69.60	5%	3.48	
Total		100.00%	86.33	2
KDG Construction Consulting				
Experience and Capabilities of the Firms on the Proposed Team	81.14	35%	28.40	
Experience and Capabilities of the Key Personnel	81.32	25%	20.33	
Understanding and Approach to Service Delivery	90.71	35%	31.75	
Approach to Cultural Competency	85.00	5%	4.25	
Total		100.00%	84.73	3
AIX Consulting, Inc.				
Experience and Capabilities of the Firms on the Proposed Team	77.20	35%	27.02	
Experience and Capabilities of the Key Personnel	82.00	25%	20.50	
Understanding and Approach to Service Delivery	92.37	35%	32.33	
Approach to Cultural Competency	80.40	5%	4.02	
Total		100.00%	83.87	4
C2PM				
Experience and Capabilities of the Firms on the Proposed Team	80.00	35%	28.00	
Experience and Capabilities of the Key Personnel	82.48	25%	20.62	
Understanding and Approach to Service Delivery	85.29	35%	29.85	

Approach to Cultural Competency	71.67	5%	3.58	
Total		100.00%	82.05	5

C. Cost/Price Analysis

Metro completed negotiations and determined that the recommended estimated costs are fair and reasonable based on a cost analysis of labor rates, indirect rates and other direct costs in accordance with Metro's Procurement Policies and Procedures. Metro confirmed indirect cost rates based on current audits by a cognizant agency CPA in accordance with FAR Part 31 and established provisional indirect cost rates for the first year of the contract. Where indirect cost rates were not supported by a current audit Metro negotiated provisional indirect rates so as not to delay the contract awaiting audit. Metro negotiated a fixed fee factor that will be used to establish a fixed fee dollar amount for each Task Order based on the total estimated cost negotiated for the Task Order.

D. Background on Recommended Contractor

The recommended firm, Zephyr Rail, is located in the city of Orange, California and was established in 2015. They hold certifications as a certified Disadvantaged Business Enterprise (DBE) and Small Business Enterprise (SBE). They have experience with Metro under an existing CMSS contract (MC081), which includes support for projects such as Harbor Gateway Transit, Sepulveda Transit Project Common Services Support, LinkUS Office Engineering and Railroad Coordination Support, Joint and Adjacent Development Support, Division 9 & El Monte Transit Center Charger Installation, Transportation Communication Network (TCN) Support, Constructability Review of EB SR-91 Atlantic Ave to Cherry Ave Auxiliary Lane Improvement Project, and Constructability Review of WB SR-91 Alondra Boulevard to Shoemaker Ave Improvement Project.